

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

TIMOTHY WILSON

§ § § § § § § § § §

**Plaintiff**

१०८

VS.

**CIVIL NO. 5:10-CV-828-XR**

**TOLTECA ENTERPRISES, INC d/b/a  
PHOENIX RECOVERY GROUP**

888888

## Defendant

§

**JOINT STIPULATION OF DISMISSAL**

**TO THE HONORABLE JUDGE XAVIER RODRIGUEZ:**

**NOW COMES PLAINTIFF,** Timothy Wilson and **DEFENDANT and COUNTER-PLAINTIFF** Phoenix Recovery Group and, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, jointly stipulate to dismiss this case with prejudice. In support of the Joint Stipulation of Dismissal the parties show that they have resolved all claims now existing between them parties of which they are aware, and seek to dismiss all claims which were, or could have been made, with prejudice.

**WHEREFORE**, the Parties stipulate that this case be dismissed with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

Jointly stipulated on this 23rd day of May, 2011.

BY: /s/ Dennis Robert Kurz  
Dennis Robert Kurz  
State Bar No. 24068183

BY: /s/ L. Hayes Fuller, III  
L. Hayes Fuller, III  
State Bar No. 07522500  
John P. Palmer  
State Bar No. 15430600  
Joe Rivera  
State Bar No. 24065981

Weisberg & Meyers, LLC  
Two Allen Center  
1200 Smith Street, 16<sup>th</sup> Floor  
Houston, TX 77002  
(888) 595-9111 x 412  
Fax: (866) 842-3303

NAMAN, HOWELL, SMITH & LEE, PLLC  
P.O. Box 1470  
400 Austin Ave, 8th Floor  
Waco, TX 76703-1470  
Phone: (254) 755-4100  
Fax: (254) 754-6331

ATTORNEYS FOR PLAINTIFF

ATTORNEY'S FOR DEFENDANT

BY: /s/Thomas A. Clarke  
Thomas A. Clarke  
State Bar No. 04318600

8026 Vantage Dr., Suite 105  
San Antonio, TX 78230  
Phone: (210) 340-8448  
Fax: (210) 348-7946

ATTORNEY FOR COUNTER-PLAINTIFF